

**Minutes of the 2 August 2011  
Regular Meeting of the Yancey County Board of Commissioners  
Held at 7:00 o'clock p.m. in the Yancey County Courtroom  
Yancey County Courthouse, Burnsville, North Carolina**

Present at the 2 August 2011 meeting of the Yancey County Board of Commissioners were Chairman Johnny Riddle, Commissioner Jill Austin, Commissioner Dale England, Commissioner Michele Presnell, Commissioner Marvin Holland, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, Yancey County Transportation Authority Director Lynn Austin, Finance Director Lynne Hensley, Finance Officer Brandi Burleson, Toe River Health District Director Lynda Kinnane, members of the media, and members of the general public.

**Call to Order and Approval of Agenda**

Chairman Riddle called the meeting to order, welcomed everyone and asked Reverend Chris Morgan to deliver the invocation. The Board and audience also said the Pledge of Allegiance, which was led by Commissioner Holland. Commissioner Holland made a motion to approve the agenda and it was seconded by Commissioner England. The vote to approve was unanimous. (Attachment A)

**Approval of the Minutes**

The Board next considered the minutes from the June 20<sup>th</sup> special meeting, the June 23<sup>rd</sup> special meeting, and the July 5<sup>th</sup> special and regular meetings. Commissioner Holland made a motion to approve the minutes and the motion was seconded by Commissioner Austin. The vote to approve was unanimous.

**Public Comment**

The first person to speak before the Board was Peter Franklin who wanted the county to investigate saving money by having businesses sponsor the fireworks on July 4, 2012. The next person to speak before the Board was Lois Herb who wanted to know what was going on with the foreclosures that Jeff Boone had been approved to pursue. Chairman Riddle stated that the foreclosures were still going to go forward but we weren't sure which company or entity was going to do them. The next person who spoke before the Board was Benny Riddle who spoke against sending any more jobs overseas and returning manufacturing back to the United States. The next person who spoke before the Board was Ray Fox who spoke about the DSS Board meetings that he attended the last two months. The final person to speak before the Board was Betsy Solar who spoke about rural councils and the evils of Agenda 21 which is being forced on the American people without their knowledge. She stated that the mainstream media was part of the Agenda 21 conspiracy and people should be looking at particular websites for the truth.

**Special Recognition**

The Board next recognized a group from Lil Smokies Restaurant who spent time and money to build a handicap ramp at Toe River Campground. It was stated that about 75 people helped with making this project a reality. The Board presented the group with a special certificate (Attachment B).

**Toe River Health District**

The Board next heard from Linda Kinnane, Director of Toe River Health District and Deidra Tipton, Director of Home Health about the availability of funds to transition to all electronic medical records. According to Ms. Tipton, this is something that is being mandated by the federal government for Home Health to have by 2014. A grant has been secured through the Appalachian Regional Commission in the amount of \$75,000 to implement this system but it needs to be done now to assure that the money can be drawn down. Toe River Health District is asking for a guarantee from the counties of \$18,333 in one-time additional funds to help pay for the electronic records. If this is not completed by 2014 then Toe River Health District will lose money for Medicaid and Medicare reimbursements. According to Ms. Kinnane, Toe River Health District will still look for additional money so that the counties may not have to pay anything but they at least need the guarantee that the money will be there for the next fiscal year (2012-13). Ms. Kinnane also stated that part of the cost was coming from the reserves of Toe River Health District (Attachment C). Commissioner England stated that he would like to see something in writing to assure that other funding sources will be sought. Commissioner Holland asked if this was mandated to be done. Ms. Kinnane stated that, yes, it was mandated. Chairman Riddle stated that he appreciated being notified this early for next year. He also asked Finance

Officer, Brandi Burleson if this could be done. She responded that it could be done. Upon hearing from Ms. Kinnane and Ms. Tipton, Commissioner Holland made a motion that the \$18,333 be set aside for the next fiscal year for Toe River Health District to upgrade to a Electronic Records Management system. The motion was seconded by Commissioner Austin and the vote to approve was unanimous.

### **High Country Bike Plan**

The Board next heard from Mr. Phil Trew. Mr. Trew stated that he was coming before the Board because the NCDOT has agreed to contract with the High Country Council of Governments to develop a regional bike plan. According to Mr. Trew these have been done all over the state and with the most recent one in Lake Norman. The goal is to improve safety for motorists and cyclists. Mr. Trew requests three members to be appointed to the steering committee for this project. Commissioner Presnell stated that she would be interested in serving on the steering committee and she has talked to a couple more people who would be interested. Those people are Randy Raskin and either John or Cathy Hogan. Having no objections from any Board members, the names were submitted to Mr. Trew for the steering committee. Mr. Trew stated that public hearings would be held throughout the region before anything became final. He further stated that he would like to bring the completed plan back to the Board for adoption.

### **ROAP Grant**

The Board next heard from Yancey County Transportation Authority (YCTA) Director Lynn Austin. Ms. Austin came before the Board to ask that YCTA be allowed to apply for their ROAP grant this year. She stated that it was less than in other years because of the cuts at the state level by \$28,000. The grant is for \$107,035 and requires a 10% county match which Ms. Austin stated that YCTA usually recovers this in fees. This money benefits elderly and disable people and provides money to take cancer and dialysis patients to their appointments. Chairman Riddle then opened up the floor for comment on the ROAP program. Tim Clark, asked if this was federal or state money. Ms. Austin stated that they were federal monies that are handled by the NCDOT. Mr. Clark stated that he thought that it was the duty of the commissioners to turn down this money and send a message to Raleigh and Washington to stop spending money they don't have. Discussion followed about why this money was important and that if it was not used by Yancey County that another county in North Carolina would benefit from it. Anthony Robinson also commented that socialism and the government have got us to the point we are at and that older people never asked for a handout from the government. Betsy Solar stated that if the government hadn't started having these programs then it would still be done by the families and churches and that government has no business providing these services. Mrs. Lois Herb stated that she felt that the YCTA did a wonderful job with a very limited budget. At the conclusion of Mrs. Herb's comments and with no further comment Commissioner Holland made a motion to close the public hearing. The motion was seconded by Commissioner Austin and the vote to approve was unanimous. Upon the conclusion of the public hearing Commissioner Austin made a motion to approve the necessary resolution and paperwork to allow YCTA to apply for the ROAP grant. The motion was seconded by Commissioner Presnell and the vote to approve was unanimous (Attachment D).

### **County Manager Business**

The Board next heard from County Manager Nathan Bennett concerning Forest Service Agreement. Mr. Bennett stated that this is the standard contract that is presented each year for the North Carolina Department of Agriculture to provide fire protection service for forests in the County. Mr. Bennett stated that this helps to pay for the County Ranger. This year there is \$54,000 in the budget for this service. Mr. Bennett also stated that only a portion of the money was used last year and thus went back into the budget. Upon hearing from Mr. Bennett, Commissioner Presnell made a motion to approve the agreement with the NC Department of Agriculture and the NC Forest Service. The motion was seconded by Commissioner England and the vote to approve was unanimous (Attachment E). Mr. Bennett next informed the Board about an alternative energy project that wants to locate in the Pensacola community. This company, Nationwide Renewable Energy, would like a letter of support from the county before moving forward with the project. Yancey County is not the only county that is having a site built. Other sites are going to be located in McDowell County, Mitchell County, and Avery County as well. The goal of these projects is to sell energy back to Progress Energy and also to train people through Mayland Community College about solar energy. This training could turn into jobs because Nationwide has stated that they could produce 50 jobs in Yancey County. Mr. Bennett stated that they already had letters of support from the Yancey Economic Development Commission, Mayland Community College, the Town of Burnsville, and the other counties that

are involved in this project. Upon hearing from Mr. Bennett Commissioner England made a motion to authorize the county manager to send a letter of support for Nationwide Renewable Energy. The motion was seconded by Commissioner Holland and the vote to approve was unanimous.

#### Commissioner Comments


Chairman Riddle then opened up the floor for any of the commissioners who had comments. Commissioner Austin expressed an interest in amending the agenda to discuss the Comprehensive Recreation Grounds and take any necessary action. Commissioner Presnell made a motion to amend the agenda to include discussion and action if necessary to discuss the Comprehensive Recreation Grounds. The motion was seconded by Commissioner Holland and the vote to approve was unanimous. Commissioner Austin stated that she would like to see some movement on this project. She stated that she would at least like to see the grading and site preparation happen but we are on a tight time frame because of the grass seed needing to be in the ground for a certain amount of time. Discussion followed about a course of action and how to get enough money to begin the project. County Manager Nathan Bennett stated that bids for the project could go out and if they came in too high then the Board could hold off on moving forward. Upon conclusion of the discussion Commissioner England made a motion to authorize the county manager to proceed with McGill Associates to put the project out to bid. The motion was seconded by Commissioner Presnell and the vote to approve was unanimous. Commissioner Presnell stated that she would like to have an update on the courthouse security measures. County Manager Bennett gave an update of what is going on and that all of the work would be completed in September. Commissioner England stated that he was wondering what was going on with the Zacheus Legal Services and Tax Management Associates. County Manager Bennett stated that even though the Board gave a verbal approval for Tax Administrator Jeff Boone to go ahead with this program it required a contract with the county which he is not authorized to enter into. Upon hearing from County Manager Bennett, Commissioner England made a motion to authorize the county manager, county attorney, and tax administrator to enter into a contract with Zacheus Legal Services and Tax Management Associates. The motion was seconded by Commissioner Holland and the vote to approve was unanimous. Commissioner Presnell then made a motion to audio record the meetings. The motion was seconded by Commissioner Holland and the vote to approve was unanimous.

#### Adjournment

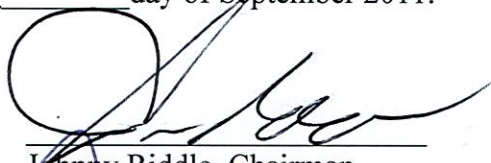
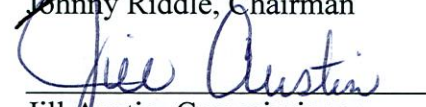

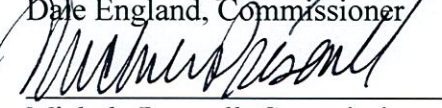
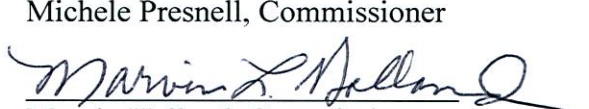
Having no further business Commissioner Holland made a motion to adjourn and it was seconded by Commissioner England. The vote to adjourn was unanimous.

Approved and authenticated on this the \_\_\_\_\_ 6th \_\_\_\_\_ day of September 2011.

Attest:

  
J. Jason Robinson  
Clerk to the Board  
(county seal)



  
Johnny Riddle, Chairman  
  
Jill Austin, Commissioner  
  
Dale England, Commissioner  
  
Michele Presnell, Commissioner  
  
Marvin Holland, Commissioner

*Attachment A*

COUNTY MANAGER  
Nathan Bennett



COMMISSIONERS  
Jill Austin  
Dale England  
Marvin Holland  
Michele Presnell  
Johnny Riddle

## YANCEY COUNTY

110 Town Square, Room 11 • Burnsville, North Carolina 28714  
PHONE: (828) 682-3971 • FAX: (828) 682-4301

### AGENDA YANCEY COUNTY BOARD OF COMMISSIONERS REGULAR BUSINESS MEETING

August 2, 2011

7:00 P.M.

- I. Call to Order, Invocation and Pledge of Allegiance – Chairman Johnny Riddle
- II. Approval of the Agenda
- III. Approval of Minutes
- IV. Public Comment
- V. **RECOGNITION** – Li'l Smoky Corner Club – Contributions for Improvements to Patience Park and Toe River Campground
- VI. Toe River Health District – Electronic Medical Records – Lynda Kinnane, District Health Director
- VII. High Country Regional Bike Plan – Phil Trew, Director of Planning & Development, High Country Council of Governments
  - a. Steering Committee Appointments
- VIII. Yancey County Transportation Authority – Lynn Austin, Director, YCTA
  - a. Rural Operating Assistance Program (ROAP) – Grant Application – Overview
  - b. **PUBLIC HEARING** – ROAP Grant Program
  - c. **RESOLUTION** – ROAP Grant Program
- IX. County Manager Business
  - a. North Carolina Forest Service – Cooperative Agreement
  - b. Nationwide Renewable Energy – Letter of Support
- X. Commissioner's Business
- XI. Adjourn



# CERTIFICATE OF APPRECIATION

This certifies that

*Li'l Smoky Friends*


is awarded this  
Certificate of Appreciation for


*Selfless Contributions and Public Service to  
Construct an Access Ramp to the South Toe River  
For the Disabled Visitors to Patience Park  
And Toe River Campground*

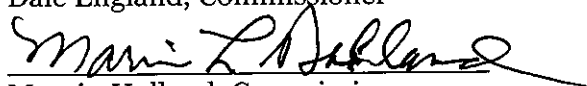
Presented this 2nd Day of August, 2011 by the  
Yancey County Board of County Commissioners.

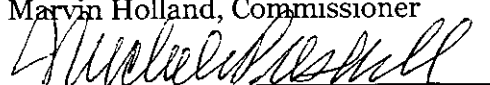


  
Johnny Riddle, Chairman

  
Jill Austin, Vice-Chair

  
Dale England, Commissioner

  
Marvin Holland, Commissioner

  
Michele Presnell, Commissioner

## Attachment C

### Toe River Health District Home Health - Point of Care Electronic Medical Record

#### Summary for County Commissioners

July/August 2011

Toe River Health District (TRHD) operates your local county health departments providing hundreds of thousands of dollars worth of required services each year that are unfunded. The counties are required to provide these services. Avery, Mitchell and Yancey Counties chose to create a district health department as your vehicle to get this done, expecting some economies of scale. TRHD home health services help cover the cost of operating the county health departments and providing these required services. Home Health is not a required service and fewer than half of the health departments in NC are home health providers. Most counties without a home health agency contribute 30-40 % of their health department's overall revenue, TRHD counties contribute <10% of the health department revenue. Home Health income has saved the counties millions of dollars over the years. Below is the amount HH has contributed to the general fund over the past several years.

FY 09-10 + \$630,512

FY 08-09 + \$291,087

FY 07-08 + \$363,282

FY 06-07 + \$570,776

FY 05-06 + \$493,938

FY 04-05 + \$550,697

FY 03-04 + \$834,831

FY 02-03 + \$657,030

Total = \$4,392,153      or ~ \$1.46 million/county over the past 8 year  
or \$183,000 per county per year

The Health Care Reform Act requires that health care agencies have an electronic medical record (EMR) and show "meaningful use" of it by 2014. The "stick" is a penalty on Medicare and Medicaid reimbursement beginning at 1% and rising each year up to 5%. TRHD still operates on a paper based documentation/medical record system. In order to meet the new guidelines and avoid penalties, we must act soon as we expect it will take a year to implement fully.

Currently, we have a grant of \$75,000 reserved for our EMR through the Rural Hope Initiative program with Appalachian Regional Commission. In order to draw down the funds, we must have equal match funding committed as well. We currently have \$20,000 in an equipment reserve toward the match. We have applied for other grants and researched other opportunities for more than 3 years now but find that computer systems are not popular with grantors, nor unfortunately are programs that mainly benefit the elderly.

Because the federal fiscal year ends Sept. 30<sup>th</sup>, and there is no guarantee that the ARC will roll the monies over for us, we are asking the counties to guarantee the \$55,000 in match that we still need to draw down the money before Sept. 30, 2011. This comes to \$18,333 per county.

The attached sheet will help explain why it will be beneficial to the counties to provide the additional funding for a home health EMR now, vs. later. Each year that we delay, the cost of obtaining

the system will be greater, due to either the loss of the reserved grant, or the additional cost based on the penalties from not having the system.

We continue to pursue other funding opportunities and assure you that if other funds are received (i.e. Wal-Mart grants, local bank grants, etc), we will notify you and decrease your responsibility toward the match equivalently.

Although we need a commitment before Sept. 30, we do not anticipate needing the money until early 2012.

Please consider our request. We appreciate your time.

Respectfully submitted

Deidra Tipton, Director of Home Health

Lynda Kinnane, Health Director

# HH Electronic Medical Record Info/Budget

Current Project cost of EMR = \$150,000. TRHD reserve = \$20,000. Difference = \$130,000

FY 2011/2012	FY 2012/2013	FY 2013/2014 and after
Rural Hope Grant = \$75,000	Grant = \$0	Grant = \$0
Avery County = \$18,333	Avery County = \$43,333	Avery County = \$76,667
Mitchell County = \$18,333	Mitchell County = \$43,333	Mitchell County = \$76,667
Yancey County = \$18,333	Yancey County = \$43,333	Yancey County = \$76,667
This upcoming FY, we have reserved funding of \$75,000 from the Rural Hope Initiative. We cannot draw these funds down for an EMR until we have matching funds promised/available.	If we do not draw down the grant funds timely, we will lose them, leaving the counties to off-set the entire \$130,000.	Loss of revenue in HH, related to not having an EMR by 2014. All HH Medicare episodes will be penalized up to 5 %. 5% of this proposed 2011/2012 Medicare budget is \$100,000. At this point to get an EMR would cost the counties this portion of subsidized health department costs as well as their portion of the \$130,000.



Attachment D

**CERTIFIED STATEMENT**  
**FY 2012**  
**RURAL OPERATING ASSISTANCE PROGRAM**  
County of YANCEY

**WHEREAS**, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Public Transportation Division provides funding for the operating cost of passenger trips and for other transportation services for counties within the state;

**WHEREAS**, the county uses the most recent transportation plans (i.e. CTSP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds;

**WHEREAS**, the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipient of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP application. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county;

**WHEREAS**, the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners;

**WHEREAS**, the passenger trips and transportation services provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race or gender (FTA C 4702.1A, FTA C 4704.1, Americans with Disabilities Act 1990); and

**WHEREAS**, the period of performance for these funds will be July 1, 2011 to June 30, 2012 regardless of the date on which ROAP funds are disbursed to the county.

**NOW, THEREFORE, by signing below, the duly authorized representatives of the County of Yancey North Carolina certify that the following statements are true and accurate:**

- The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low income persons in the county's sub-allocation decision have been documented.
- The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.
- The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips and services for five years that prove that an eligible citizen was provided an eligible service or trip on the billed date, by whatever conveyance at the specified cost.
- The county will be responsible for monitoring the safety, quality and cost of ROAP funded services and assures that any procurements by subrecipients for contracted services will follow state guidelines.
- The county will conduct regular evaluations of ROAP funded passenger trips and transportation services provided throughout the period of performance.

- The county will only use the ROAP funds to provide trips and other transportation services when other funding sources are not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.
- The county assures that the required matching funds for the FY2012 ROAP can be generated from fares and/or provided from local funds.
- The county will notify the Mobility Development Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.
- The county manager will provide written assurance to the Public Transportation Division that the employment transportation needs in the county have been met prior to transferring any Employment Transportation Program (EMPL) funds. The letter will describe the process used to make this determination. Transfer of EMPL funds is prohibited if there are any unmet needs or service strategies in the Coordinated Public Transit – Human Services Transportation Plan that have not been addressed.
- The county will provide an accounting of trips, services and expenditures in semi-annual reports to NCDOT – Public Transportation Division or its designee.
- Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.
- The county is applying for the following amounts of FY 2012 Rural Operating Assistance Program funds:

State-Funded Rural Operating Assistance Program	Allocated	Requested
Elderly & Disabled Transportation Assistance Program (EDTAP)	53,195	53,195
Employment Transportation Assistance Program (EMPL)	8,493	8,493
Rural General Public Program (RGP)	45,337	45,337
<b>TOTAL</b>	<b>107,025</b>	<b>107,025</b>

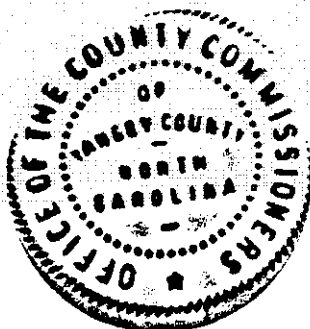
WITNESS my hand and county seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

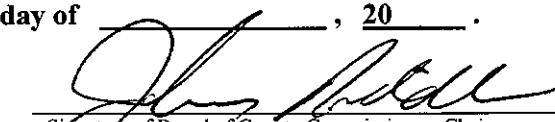
  
 \_\_\_\_\_  
 Signature of Board of County Manager/Administrator

Nathan R. Bennett  
 \_\_\_\_\_  
 Printed Name of County Manager/Administrator

State of North Carolina County of \_\_\_\_\_

County Seal Here



  
 \_\_\_\_\_  
 Signature of Board of County Commissioners Chairperson

Johnny Riddle  
 \_\_\_\_\_  
 Printed Name of Chairperson

  
 \_\_\_\_\_  
 Signature of County Finance Officer

BRANDI BURLESON  
 \_\_\_\_\_  
 Printed Name of County Finance Officer

*Attachment E*

STATE OF NORTH CAROLINA

Department of

Agriculture and Consumer Services

\$137,458  
Total Cooperative  
Appropriation

\$82,475                      60%  
State

\$54,983                      40%  
County

AGREEMENT FOR THE PROTECTION, DEVELOPMENT AND IMPROVEMENT  
OF FOREST LAND IN YANCEY COUNTY, NORTH CAROLINA

THIS AGREEMENT, made under authority of "An act to authorize Counties to cooperate with State in Forest Protection, Reforestation and promotion of Forest Management," (Section 113-59 of the general Statutes of North Carolina - 1943), and also under authority of another Section of the General Statutes, namely Section 113-54, by the North Carolina Department of Agriculture and Consumer Services (hereinafter called the Department), party of the first part, and the Board of Commissioners of YANCEY COUNTY in the State of North Carolina (hereinafter called the Board), party of the second part, witnesseth:

That WHEREAS the said Board, recognizing the need for active forest protection, development, reforestation, management and improvement in YANCEY COUNTY, has accepted the offer of the Department for cooperation in accomplishing this object:

Now THEREFORE, in consideration of the mutual covenants hereinafter set forth, the said parties contract and agree to maintain a legally appointed and equipped Forest Ranger organization in said county at the joint cost of the State and County, insofar as the joint funds will permit, as follows:

Part I.                      THE DEPARTMENT AGREES:

1.        To select, employ and appoint, after consultation with the Board, a County Forester or County Forest Ranger for the purposes of controlling forest fires in said County; for detecting and extinguishing fires that break out; for investigating the origin of forest, woodland and field fires; for enforcing State forest fire laws; for taking such preventative measures, educational and otherwise, as shall seem necessary to prevent forest fires; for developing and improving the forests through reforestation promotion and practice of Forest Management practices; and for protection from insects and diseases.

2. To furnish to each Forester or Forest Ranger so employed a badge of office, stationery and report forms, instructional posters for use in the County, leaflets for distributing to landowners and others; to purchase necessary equipment, communication systems, and other Forestry improvements deemed necessary insofar as the joint funds will permit.

3. To pay the Forester or Forest Ranger for all official services rendered, at a fair rate of pay. Rates of pay are to be established by the Department in accord with existing State salary schedules.

4. To direct supervise, instruct, and inspect, through its agents, the work and conduct of the Forester or Forest Ranger, to discipline and, when necessary, discharge such Forester or Forest Ranger.

5. To submit to the Board of Commissioners monthly (or at other mutually satisfactory intervals) an itemized statement of all monies to be paid by the County and those paid by the Department for proper conduct of the work within said County.

6. To make available annually from State, Federal, and other funds allotted to it, the sum of Eighty-two Thousand, Four Hundred and Seventy-five Dollars (**\$82,475**) as its share of an annual budget of **\$137,458** for carrying the work in said County.

Part II. THE BOARD AGREES:

1. To pay to the Department 40 % of the total cost of the Forester or Forest Ranger salaries and expenses and of other proper expenditures made in connection with the over-all Forestry program in said County, upon receipt and consequent approval of the periodic statements submitted by the Department.

2. To appropriate annually the sum of Fifty-four Thousand, Nine Hundred and Eighty-three Dollars (**\$54,983**) which sum shall be available for expenditure under the terms of this Agreement, and shall represent the County's share of the annual budget.

Part III. IT IS EXPRESSLY AGREED AND UNDERSTOOD BY BOTH PARTIES:

1. That this Agreement becomes effective **July 1, 2011**.

2. That the annual appropriations as set forth above may be revised by mutual agreement between the Department and the Board, based on the amount of annual appropriation desirable for the proper conduct of the Forestry work, such revision to become effective at the beginning of a given Fiscal Year. Any unused balance of County funds remaining at the end of a Fiscal Year shall revert to said County unless otherwise mutually agreed upon by both parties.

3. That the Board reimburse the Department as provided in Part II, Item 1, by forwarding a county voucher drawn in favor of the Department for the amount of the County's share of expenditures as set forth in the Department's periodic statement to the Board. That such payments be made by the Board within thirty days following receipt of the Department's billing.

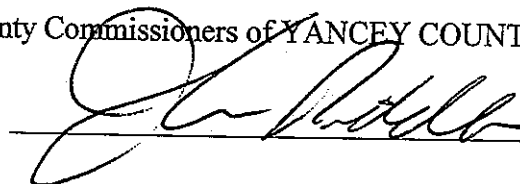
4. That title to all improvements and equipment purchased and/or constructed in connection with this agreement will rest with the Department; such materials or their equivalent will remain in the County as long as this agreement is in effect, or as long as they are needed by the Department for the proper conduct of the work therein.

5. That the Forester or Forest Ranger periodically or at the request of the Board, shall present to the Board statements of the work being done within the County, so that said Board may be fully informed at the times regarding the Forestry finances and activities within the County.

IN WITNESS WHEREOF, the said parties do hereunto affix their names and seals upon the date herein below specified.

For the Board of County Commissioners of YANCEY COUNTY.

Date 8-17-11

 Chairman

Provisions for the payment of the monies to fall due under this Agreement have been made by appropriation duly made or by bonds or notes duly authorized, as required by the "County Fiscal Control Act."

Date 8/17/11

 County Finance Officer

For the North Carolina Department of Agriculture and Consumer Services

Date \_\_\_\_\_

\_\_\_\_\_  
Signature

Wib L. Owen, Assistant Commissioner, State Forester Title

Date \_\_\_\_\_

\_\_\_\_\_  
Signature

N. David Smith, Chief Deputy Commissioner Title